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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,621	03/19/2004	Koichiro Hirabayashi	YAMAP0914US	7855

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EXAMINER

BLOUIN, MARK S

ART UNIT PAPER NUMBER

2627

DATE MAILED: 08/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/804,621	Applicant(s) HIRABAYASHI ET AL.	
	Examiner Mark Blouin	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Detailed Action

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Konishi et al (US 6,172,840).

3. Regarding Claim 1, Konishi et al shows (Figs. 7,8,34) a magnetic recording and reproduction apparatus, comprising: a pivotable arm section (53); an arm pivoting center shaft (54) for supporting the pivoting center of the arm section a capstan section (50) for driving a magnetic tape so as to run a pinch roller (55) provided on the arm section for pressing the magnetic tape to the capstan section; and an extendable and compressible section (57) extendable so as to be wound around the arm pivoting center shaft in accordance with the pivoting of the arm section and compressible so as to retract from the arm pivoting center shaft in accordance with the pivoting of the arm section.

4. Regarding Claim 2, Konishi et al shows (Figs. 7,8,34) a magnetic recording and reproduction apparatus, further comprising a pressure-contact section provided on the pivoting center of the arm section, the pressure-contact section (58) being pressure-contactable to the arm section so as to press the magnetic tape to the capstan section (50), wherein the extendable and compressible section is extendable so as to be wound around the pressure-contact section in

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accordance with the pivoting of the arm section and is incompressible so as to retract from the pressure-contact section in accordance with the pivoting of the arm section.

5. Regarding Claim 3, Konishi et al shows (Figs. 7,8,34) a magnetic recording and reproduction apparatus, further comprising a chassis section (8) accommodating the arm pivoting center shaft (54), wherein one end of the extendable and compressible section is connected to the chassis section and another end of the extendable and compressible section is connected to the arm section.

6. Regarding Claim 4, Konishi et al shows (Figs. 7,8,34) a magnetic recording and reproduction apparatus, wherein the extendable and compressible section (57) exerts a force on the arm section for pulling the arm section (53) in such a direction as to separate the pinch roller (55) away from the capstan (50).

7. Regarding Claim 5, Konishi et al shows (Figs. 7,8,34) a magnetic recording and reproduction apparatus, wherein the extendable and compressible section is a tension coil spring (57), and the pressure-contact section is a twisted coil spring (58).

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is 571-272-7583. The examiner can normally be reached on M-F from 6:00 to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen, can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Mark Blouin', followed by a long horizontal flourish.

Mark Blouin
Patent Examiner
Art Unit 2627
August 24, 2006